

# FAIR HEARINGS

If you need an interpreter, translator or special accommodations at the hearing, you should ask for them at the time you ask for a hearing, so that these accommodations can be made for you. These accommodations will be made at no cost to you. Please call 1-800-311-7220 or 803-898-8080 or TTY 1-800-311-7219.

## **AFTER THE HEARING**

You will receive a decision in writing from the hearing officer, and you will be advised of where to appeal the decision if it is not in your favor.

In accordance with federal law and U.S. Departments of Agriculture and Health and Human Services policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs or disability. To file a complaint of discrimination in the Food Stamp Program, write USDA, Office of Civil Rights, Room 36-W, Whitten Building, 1400 Independence Ave., SW, Washington, D.C. 20250-9410 or call (202) 720-5964 (voice or TDD). To file a complaint of discrimination in the Family Independence Program, write USDHHS, Office of Civil Rights, Atlanta Federal Center/Suite 3B70, 61 Forsyth St., SW, Atlanta, Ga. 30303-8909 or call (404) 562-7886. USDA and USDHHS are equal opportunity providers and employers.

South Carolina  
Department of Social Services  
Individual and Provider Rights  
Office of Administrative Hearings  
P.O. Box 1520  
Columbia, S.C. 29202-1520  
1-800-311-7220 or  
803-898-8080 or  
TTY 1-800-311-7219

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You may ask for a fair hearing when you disagree with an action taken by DSS or when you think there has been an unreasonable delay in acting on your application for services.

## **TIME FRAMES**

You must generally request a hearing **within 30 days** from the time you are notified of the adverse action.

You must request a hearing **within 60 days** from the time you are notified of the adverse action in a Family Independence case.

You must request a hearing **within 90 days** from the time you are notified of the adverse action in a Food Stamps case.

You may be entitled to continued benefits or continued access to a disputed EBT amount while you are appealing, if you request your hearing within the 10-day advance notice period before your benefits are reduced, suspended or ended.

## **HOW TO REQUEST A HEARING**

You may ask for a hearing by contacting your caseworker or the Office of Administrative Hearings (1-800-311-7220). You should give your name, the action you disagree with and the relief you want. Your hearing will be held by telephone, unless you ask that it be held face to face.

## **NOTICE OF HEARING**

You will usually receive 30 days notice of your hearing, 10 days notice for a Food Stamps case. If you are willing for your case to be heard earlier, the Office of Administrative Hearings will try to schedule it earlier. You should always be given reasonable notice.

## **REPRESENTATION**

You may represent yourself, or you may ask an attorney, friend, relative or some other person to be your spokesman. You may also call Legal Services at 1-888-346-5592 statewide or 803-744-9430 in the Columbia area.

## **BEFORE THE HEARING**

You may review your case file and the evidence in the case. If the hearing is face to face, you should arrive about 20 minutes before the hearing to review your file. You should make arrangements with your case worker to review it prior to that time.

You may request the hearing officer to require a witness to appear at the hearing (issue a subpoena) on your behalf, but you must make your request at least seven (7) days before the hearing. You are responsible for the costs of the witness. Most professionals charge an hourly fee for court time and for expenses.



You may request a pre-hearing conference with the county DSS to discuss the issues in the appeal. This does not affect your right to a hearing, although the need to have a hearing may be eliminated.

You or the county DSS may ask for a postponement of your hearing for a good reason.

You may ask to withdraw your request for a hearing by contacting your case worker or the Office of Administrative Hearings.

## **AT THE HEARING**

You may present your witnesses and ask questions of any witnesses for DSS.

You may present any evidence, such as records, receipts or other statements that will help explain your case. The hearing officer will decide what evidence is relevant and will be used to decide your case.

You may ask the hearing officer to have a witness wait outside the hearing room if you do not want the witness to hear the testimony about you.

The hearing is recorded. The final decision is not made at the hearing, but is made by a three-person committee, including the hearing officer.

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